

ENTERED

April 19, 2019

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
	§	
HOUSTON BLUEBONNET, L.L.C.,	§	BANKRUPTCY NO. 16-34850
	§	ADVERSARY NO. 16-3251
Debtor.	§	
<hr/>		
JENNIE KAY LYLE BIERSCHEID,	§	
Executrix of THE ESTATE OF	§	
KENNETH R. LYLE, Deceased;	§	
LYLE ENGINEERING COMPANY;	§	
HOUSTON BLUEBONNET, LLC;	§	
E&H, LP; AMERICAN UNIVERSAL	§	
INVESTMENT COMPANY; and ESTHER	§	
SUCKLE, Trustee of THE SUCKLE	§	
1999 LIVING TRUST,	§	
	§	CIVIL ACTION NO. H-19-1108
Appellants,	§	
	§	
v.	§	
	§	
HENRY R. HAMMAN; THE GEORGE	§	
AND MARY JOSEPHINE HAMMAN	§	
FOUNDATION; LAURA HAMMAN FAIN;	§	
and ELIZABETH HAMMAN OLIVER,	§	
	§	
Appellees.	§	

ORDER

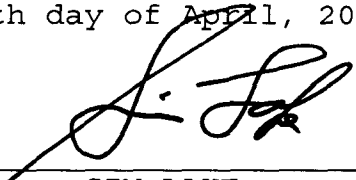
Pending before the court is Jennie Kay Lyle Bierscheid, Executrix of the Estate of Kenneth R. Lyle, deceased, Lyle Engineering Company, Houston Bluebonnet, L.L.C., E&H, L.P., American Universal Investment Co., and Esther Suckle, Trustee of the Suckle 1999 Living Trust's ("Appellants") Motion for Leave to Appeal Interlocutory Order of the Bankruptcy Court (Docket Entry No. 2), to which appellees Henry R. Hamman, The George and Mary Josephine Hamman Foundation, Laura Hamman Fain, and Elizabeth

Hamman Oliver ("Appellees") have filed Hammans' Objection to Defendants' Motion for Leave to File Interlocutory Appeal (Docket Entry No. 3). Appellants seek leave to file an interlocutory appeal from the Order Granting Hamman's Motion for Partial Summary Judgment and Denying Lyle's Cross-Motion for Summary Judgment (Document No. 28 in Adversary No. 16-3251).

Bankruptcy Rule 8004 allows the court to permit an appeal from an interlocutory order of the bankruptcy court. Having considered the parties' arguments the court concludes that the resources of the parties and the courts would be more efficiently utilized by denying the motion and allowing the court and the United States Court of Appeals for the Fifth Circuit to review the case after the bankruptcy court has entered a final judgment. The court also concludes that granting Appellants' motion would likely delay the final resolution of the case by the bankruptcy court.

Accordingly, Appellants' Motion for Leave to Appeal Interlocutory Order of the Bankruptcy Court (Docket Entry No. 2) is **DENIED**. Appellants' Second Notice of Appeal from Order Granting Hamman's Motion for Partial Summary Judgment and Denying Lyle's Cross Motion for Summary Judgment (Docket Entry No. 1-1) is **DISMISSED WITHOUT PREJUDICE**.

SIGNED at Houston, Texas, on this 19th day of April, 2019.



SIM LAKE
UNITED STATES DISTRICT JUDGE